

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CA No. 5:23-CV-00683-FL

LEO J. EDWARDS, on behalf of himself and)
all others similarly situated,)
)
 Plaintiff,)
)
 v.)
)
 CITY OF RALEIGH,)
)
 Defendant.)

ORDER

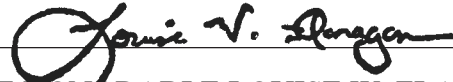
Upon consideration of Plaintiff's Motion for Conditional Certification of a Collective Action pursuant to the Fair Labor Standards Act, and plaintiff's supplemental brief (DE 17, 35), IT IS HEREBY ORDERED, that Plaintiff's Motion is GRANTED in remaining part held in abeyance upon the court's September 11, 2024, order. Defendant is ORDERED to provide to Plaintiff's counsel an updated listing, in electronically readable/importable form, of the names, last known mailing addresses, last known telephone numbers, email addresses, work locations, and dates of employment of all putative Plaintiffs who worked for Defendant at any time during the three (3) years preceding the filing of this action and consistent with Plaintiff's proposed collective notice definitions. Defendant shall produce such a list in native format within fifteen (15) days of this order.

IT IS HEREBY FURTHER ORDERED that Plaintiff shall mail to each listed putative plaintiff a copy of Plaintiff's revised proposed notice (DE 35-1) and opt-in form, and that said notice shall also be emailed and/or sent via text message,¹ as well as posted at Defendant's station locations, consistent with Plaintiff's revised proposed notice, which has been approved by this

¹ Notice via text message and email does not violate federal consumer protection law, as Plaintiffs willingly provided Defendant their phone numbers for purposes of receiving communications related to their employment. *See Telephone Consumer Protection Act*, 47 U.S.C. 227, *et seq.*

Court and a reminder shall be mailed 45-days after the initial mailing to all non-responding putative plaintiffs. The notice period shall consist of no more than ninety (90) days.

SO ORDERED, this the 2nd day of October, 2024.

A handwritten signature in black ink, reading "Louise W. Flanagan", is positioned above a horizontal line. The signature is written in a cursive style with a large initial 'L'.

THE HONORABLE LOUISE W. FLANAGAN
UNITED STATES DISTRICT JUDGE